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Speech to be delivered at the closing session of the IPJET (International Platform of Jurists for East Timor) Conference in London, U.K., 6 December 1992

by

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in representation of the President of Oporto University (Portugal),
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- Honorable Parliamentarians, Members of the British, the European, the Dutch, the Portuguese and other Parliaments;
- Honorable Jurists;
- My friend the President of IPJET;
- Friends of the Catholic Institute for International Relations (CIIR)
- Ladies and Gentlemen:

It is in a critical period for the Timorese Resistance that this Conference on *"Indonesia's Occupation of East Timor: Legal Questions"*, takes place.

The situation was also critical one year ago, in November 1991, when the IPJET was created, just two days before the Santa Cruz Massacre.

At that time the difficulties in creating the platform, for lack of financial support, seemed insurmountable and only the determination and courage of Dr. Pedro Pinto Leite made it possible.

A few days after Xanana Gusmão was detained in Dili, the Indonesian Minister of Defense, Benny Murdani went to the Parlianebt in Jakarta to placate the concern of some of the Indonesian Parliamentarians about the criticism that the detention of Xanana had provoked throughout the world.

To these questions, Benny Murdani answered nervously that *"Portugal was not the world"* and that Xanana was *"just a rat"*, not a *"Hitler"* but only a *"highwayman"*.

Indonesia has always trayed to keep out of sign its crimical policy in East Timor. The international silence has been, in fact, the most important ally of the occupiers. This is why every international demonstration against Indonesian Occupation of East Timor is so important.

The fact that this Conference is taking place here, in London, now the capital of the European Community, the fact that jurists coming from North and South America, from Australia, India, Japan and other Asiatic Countires, from Africa, from almost everywhere, is the best reply to Benny Murdani's observation.

For this reason for the importance of this meeting, and for eveything that the IPJET has already done during its first year of existence, in name of the President of Oporto University, Professor Alberto Amaral, whom I represent here, and on my own behalf, I wish to congratulate all of you, to congratulate the President of the IPJET and to thank all of you, especially the non-Portuguese participants, for their presence and commitment to the cause of East Timor.

For many years the Portuguese Government has been criticised for doing almost nothing in favour of the self-determination of the Timorese People. This criticism has come from abroad and from insid Portugal, and I myself have been one of the strongest critics of the Portuguese government.

These criticisms were justified because in effect Portugal did very little during the first ten years of Indonesian occupation of East Timor, and because Portugal has a very special responsability towards East Timor. Indeed, Portugal was, for about four centuries the colonial ruler of East Timor and, since the Portuguese Flower Revolution (of April 1974), it became the Administering and Decolonising Power. Portugal - and, through Portugal, the Catholic Church - has, historical and moral responsibility of having made East Timor culturally so different from Indonesia and, specially, from Java. But Portugal also has a very special legal and political responsibility to create the conditions that will allow the Timorese to choose their political future in full freedom, as the Portuguese Constitution expressly declares.

This is why everything that Portugal does, as well as everything that Portugal does not do in order to achieve the selfdetermination of the Maubere People is so important.

After the April 74 Revolution Portugal went through a very critical period. After almost fifty years of the fascist and colonialist rule of Salazar and Caetano, it was not easy to achieve democracy without problems. Portugal, which was weary of the colonial war, was not able to carry out the decolonisation it would have liked to. Foreign powers such as the Soviet Union and South Africa - in Angola and Mozambique - and Indonesia, in East Timor, did their best to take advantage of Portuguese weakness, as well as of the lack of political preparation of the colonised peoples.

It was under the pressure of the Indonesian hawks - Generals Ali Murtopo, Benny , Benny Murdany, Yoga Sygama and others - that some leaders of UDT carried out a coup against the Portuguese administration on the night of 10 to 11 August 1975. Curiously enough, it took place just a few hours after the Portuguese Governor installed in Office the first regional democratically elected Administrative Committee of the County of Lautem. This election was the first step in the decolonization of the regional administration and the first attempt at democracy in East Timor. The process would continue in the other twelve districts of East Timor. It was being covered by international and independent journalists and diplomats from Australia and other countries. The results of this election showed that the pro-integration party, Apodeti, had almost no support: - less than 5% of the votes.

The UDT coup took place a few hours before the start of the first training course for teachers. This was a first step towards the decolonization of the educational system in East Timor, according to a project approved by the three main parties of East Timor: - Fretilin, UDT and APODETI.

The political situation in Lisbon was extremely complex and difficult and Portugal was on the brink of civil war during this *"hot summer"* of 1975.

Indonesia took advantage of this and with the cooperation of a few Timorese, took 23 members of the Portuguese army as hostages in order to reduce, even more, the Portuguese capacity of response ...

Until 1986 the main goal of the Portuguese government has been integration in the European Community. And every government of the EC has reminded the Portuguese that Indonesia is a very important commercial and political partner of Europe against whom Portugal's policy should not be hoshle.

On the first of January 1986 Portugal finaly entered, the EEC. A few months later, on the 9th of July, Mário Soares, our president, delivered his first speech to the European Parliament. He reminded his audience

and I quote *"with insignation and protest, the dramatical situation prevailing in East Timor, that offends the most elementary rules of relationship between nations and fundamental human rights"*. **And the President of Portugal went on to say:**

"Portugal refuses to leave East Timor to its own fate and it hopes that the institutions of the Community - and in particular this Parliament will pay to East Timor the attention and the interest that the gravity of the situation demands" **(end of quote)**

The next day, a very important resolution on East Timor was passed in the European Parliament.

Since then and under the influence of Portuguese MPs from all parties, several resolutions condemning Indonesian occupation and human rights abuses, and defending the right to self-determination of East Timor have been approved by this same Parliament.

And finally, on the 20th of July of 1992, Portugal imposed its veto against an agreement between the European Community and the ASEAN, as long as Indonesia does not take steps to solve the Timorese problem in accordance with the UN Charter and UN resolutions.

More recently, when Xanana Gusmão was arrested by the occupying forces in East Timor, when I called the office of Portuguese President to ask Mário Soares to call Butrus Ghali, I was informed that the President had already spoken with the Secretary-General of the United Nations and demanded to free Xanana and to prevent him from being tortured. And when Ramos Horta called to ask that Mário Soares speak with François Mitterrand, who was going to receive Suharto in Paris three days later, he received the answer that the two Presidents were speaking to each other by telephone at that very moment.

This shows the increasing involvement and determination of Portugal in the East Timor issue.

Obviously, Portugal is a small weak country, and it can do very little without the support of the International Community.

Aware of its weakness Portugal, has been trying, in recent years, to obtain stronger support fron other countries.

It is not an easy task because many governements that criticise

Portuguese ineficiency are just the same that strongly support Indonesia. Their critics are, very often, just an excuse to justify their complicity with Indonesian criminal policy and to appease the conscience of its citizens from the fact that they put comercial interest before human rights and international law considerations.

Although Portugal has special duties towards East Timor, this does not reduce the responsability of the International Community itself, to the reestablishement of international legality there. Just as in the case of Kuwait, the International Community has the duty to free East Timor from Indonesian Ocupation. And just as in South Iraq, in Serbia and Montenegro, The UN has the right - and we think that it also has the duty - of inposing an embargo upon Indonesia as long as it does not withraw from East Timor.

We cannot ask the Timorese to go on being tortured and killed by the occupying power. Their right to self - determination does not depend on this. It is their inalienable right.

We cannot expect that such a small weak people will win a victory over the powerful Indonesians.

We cannot expect that Portuguese Governement, alone, imposes Indonesia's withrawal from East Timor.

In fact the creation of conditions for a real self-determination of the Timorese people is the responsibility of the entire international community. And even if the Timorese people did not strugle so hard for that, or if Portugal did forget its specific responsabilities, the right to self determination would be kept inalienable, and the duty of the International Community to garanty its exercise and to free East Timor, would be kept untouched.

This is why we absoluted cannot accept that a democratic country like the United Kingdom go on selling Hawk aircrafts and other weapons to Indonesia knowing that they can be used to destroy the Timorese people. And we absolutely cannot accept that the Australian Governement consider its interest in Timorese oil more important then the lives and future of an entire people ...

With the arrest of Xanana Gusmão, the Timorese people have become even weaker and more defenseless. The Timorese, now, can do almost nothing. The strugle for Timorese freedom and self-determination is now entirely in our own

hands. If the killing of one-third if the whole population of East Timor is not enough to wake up the international community and to make the UN decide to send observers to East Timor at least to prevent human rights abuses then we must conclude that those desperate groups that kill anyone, anywhere, in London, in Los Angelos in Beirute in the ex-Yugoslavia or elsewhere, are right.

If we want to live in a world where human life has real value and where friendship and love mean something, its is time to act.

The fact that Xanana was arrested just a few weeks before the UN - sponsored talks between Portugal and Indonesia is clearly a sign given by the Indonesian Generals to the politicians like Ali Alatas, that they have the power and strength enough to imprison and kill every body they wish to in East Timor.

Paradoxically enough we believe that in this situation the Indonesien Government could take the first major step in freeing itself from the East Timorese problem.

If indonesia now accepts self determination, nobody can say that it does so because its army has lost the war in East Timor. On the contrary, from a position of strength, the Indonesien Government could make a magnanimous gesture. Indonesia, it self, would bonefit from this. And we, and probably all of us, would be very happy to cooperate not only with the United Nations but also with Indonesia in order to free East Timor.

If Indonesia does not take advantage of the present situation to make a show of magnanimity, I am affraid that the East Timorese will go on suffering, the Indonesian hawks will go on oppressing the Timorese and the indonesians as well. In this case the only hope for both peoples would be the disappearence of the Indonesian dictatorship and the possible destruction of the Indonesian state from the face of the earth. The ex-Soviet Union and Yugoslavia are there to show us what can happen when criminal dictatorships don't open up to freedom and democracy ...

To support the Indonesian military hawks, as many European countries that provide arms and all support to them go on doing, is to reduce the possibility for Indoensia to become a democracy before it explodes. To support Indonesian occupation of East Timor is to foment the deespet revulsion - in the Timorese and in an increasing number of Indonesians as well - . This would be to light the fuse leading to an explosion in Indonesia.

With or without international support, the Timorese Peolpe will not give

up. Nowadays, with or without international support, the Portuguese People will not accept any solution to East Timor other then its self-determination.

It is not only the international law and the Portuguese Constitution that imposes Portugal to guarantee the creation of conditions for a real self-determination of East Timor. This is also the feelings and the solidary will of the Portuguese peole that would not allow any portuguese government to accept any solution contrary to the Timorese rights.

In the United States even under me Bush Administration, the budjet for Indonesian Military Training in the USA was cut off.

This hapenned in spite of the enormnous pressure exercised by the Indonesian Government through big American Corporation like General Electric and AT & T, under the threat that business deals no more would be made with them if the IMET program was cut. Bill Clinton, after his election, has already declared that he would review all American policy towards Indonesia in relation to East Timor.

Those are good signs.

We must take advantage of this on behalf of the East Timorese People, and also on behalf of the Indonesian People who wish to be freer and to build up democracy.

But we must be prepared for the worst. And if the negociations between Portugal, Indonesia and the United Nations on 17 December. do not open the door to a peaceful solution that respects the UN resolutions on East Timor, we must figth to create difficulties to Indonesia.

We must attempt:

- to free Xanana Gusmão and all the Timorese political prisoners;
- to open East Timor to UN observers, journalists and human rights organisations;
- to prevent continuing Indonesia migration to East Timor ;
- to prevent democratic governments from selling more weapons to Indonesia;
- to boycott Indonesian products and make efforts to impose an embargo upon Indonesia.

In any case, now that Xanana has been detained and now that the Timorese Resistance is going through a very critical period, our

solidarity is stronger then ever. His arrest has only strengthened our determination.

The struggle of the Maubere People to be free has passed to us. Now its our turn to go on with the struggle for peace, freedom and self-determination for the Timorese People.

We must say that Portuguese peole are now more available then ever before to play in East Timor whatever role the timorese wish.

In the name of the President of the Univeristy of Oporto and in my own name, I would like to say that we believe now, much more then before, that peace, self-determination and democracy will come to East Timor, and that the Indonesians will also benefit if their government is able to open to an real solution for East Timor, in the full respect of the rights of its people.

With the cooperation between all of us, and the support of many other people in so many countries, with the help of honest democratic governments, East Timor will be free.

We hope that in a not very distance future we all will celebrate East Timorese self-determination. And the Indonesian People will joinus in this celebration.

Thank you

London, 6 December 1992